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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,853	09/18/2003	Detlef Fehrer	7395-000005	5772
27572	7590	11/03/2004	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			HARTMAN JR, RONALD D	
			ART UNIT	PAPER NUMBER
			2121	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,853

Applicant(s)

FEHRER ET AL.

Examiner

Ronald D Hartman Jr.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-28 and 30-33 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 18-20, 29 and 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/24/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-17 were canceled and claims 18-34 were added.

Claim Objections

2. Claim 18, line 1, and claim 34, line 4; "control" should be changed to "controller".
Claim 19, line 1, "comprising" should be changed to "wherein the" and in line 2 "including" should be changed to "includes".

Claim 20, line 2, delete "application specific circumstances such as" as it appears unnecessarily in the claim and does not serve to further limit or distinguish the claim over the prior art. Furthermore, "the manufacturer-specific" lacks proper antecedent basis.

Claim 29, lines 4-5 are confusing and should be reworded to more accurately reflect what exactly is being claimed.

Allowable Subject Matter

3. Claims 18-34 are allowed.

As per claims 18-34, specifically independent claims 18 and 34, the prior art of record fails to teach or adequately suggest an electronic apparatus comprising at least three specific engines inside the apparatus, one being utilized for controlling the apparatus, one being utilized for device specific definitions and the other being utilized for a universal device definitions, or device independent definitions, wherein the universal definition engine automatically generates the device specific definition engine, in combination with the other claimed features and or limitations as claimed by the claimed invention.

The closest available art was issued to Jones, U.S. Patent No. 6,560,235, on May 6, 2003, in which an automation device (controller) is disclosed that utilizes a communications module that allows for any number of different communication protocols to be used in conjunction with the automation device. The system disclosed by Jones, however, does not teach the automatic generation of a device specific engine

(e.g. program, file, application, code or routine) since each specific engine must be replaced (C4 L55-58) when a different type of network is to be utilized, not automatically generated, as called for by the instant claimed invention.

This difference, in combination with the other claimed features and or limitations forms the basis for the allowance of the aforementioned claims and this distinguishing feature also conveniently provides a means by which the controller may automatically adapt to changes in the network without requiring a user to physically change the communication module, as called for by Jones. This creates a system with increased flexibility and extendibility without the need for user intervention, a desired feature among control systems that utilize "intelligent" or "smart" field devices.

Conclusion

4. This application is in condition for allowance except for the following formal matters as described above in the section labeled "Claim Objections".

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D Hartman Jr. whose telephone number is (571) 272 - 3684. The examiner can normally be reached on Mon. - Fri., 11:30 am - 8:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached at (571) 272 - 3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald D Hartman Jr.
Patent Examiner
Art Unit 2121

A handwritten signature in black ink, appearing to read 'Anthony Knight', is written over the printed name.

Anthony Knight
Supervisory Patent Examiner
Group 3600